

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Rodney Lamar Coaxum, Sr.,)	C/A No. 9:10-2599-JFA-BM
)	
Plaintiff,)	
v.)	ORDER
)	
Rosemary Sanders; Sandra L. Holland;)	
Berkeley County Sheriff's Office; Mary P.)	
Brown, Clerk of Court; Wayne M. Creech,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff, Rodney Lamar Coaxum, Sr., is a detainee at the Berkeley County Detention Center. He brings this action pursuant to 42 U.S.C. § 1983 alleging a variety of claims including jail conditions, interference with mail, issues regarding his family court case, and his inability to earn good time credits.

The Magistrate Judge assigned to this action¹ has prepared a thorough Report and Recommendation and opines that several of the defendants are entitled to dismissal. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on October 25, 2010. However, the

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

plaintiff failed to file objections. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

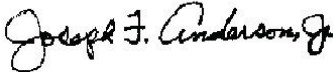
As the Magistrate Judge correctly opines, defendant Judge Wayne Creech is immune from suit for his judicial action in the plaintiff's child support case. Additionally, defendant Mary P. Brown, Clerk of Court for Berkeley County, and Sandra L. Holland, Child Support Coordinator for Berkeley County are immune from suit because of quasi judicial immunity. Finally, the Magistrate Judge suggests that defendant Berkeley County Sheriff's Office is immune from suit under the Eleventh Amendment to the Constitution. Accordingly, these defendants should be dismissed from this action. The only remaining defendant is Rosemary Sanders.

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The court, therefore, adopts the recommendation of the Magistrate Judge in full and incorporates this Report by specific reference. Defendants Sandra L. Holland, Berkeley County Sheriff's Office, Mary B. Brown, and Judge Wayne M. Creech are hereby dismissed as parties to this action.

This case shall be returned to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

November 30, 2010
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge